

REMARKS

This Amendment is submitted preliminary to the issuance of an Office Action in the present application and in response to the Official Action of September 13, 2007.

Claims 1-11 are pending in the application. Claims 1, 8 and 11 have been amended. No claims have been canceled or added. No amendment of the specification has been made.

Claims 1, 11 stand finally are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-7, 11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Araujo et al. (US 6920502) in view of Helferich (US 7003304).

Claims 6-9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Araujo et al. and Helferich in view of Crater (US 6201996).

CLAIM REJECTIONS §112, SECOND PARAGRAPH

Applicant has amended claims 1 and 11 by removing the objected phrase "event-relevant information" to more clearly recite that a receiver-specific message is transmitted to the specified receiver.

Withdrawal of the rejection of the claims 1, 11 under 35 U.S.C. §112, second paragraph is thus respectfully requested.

CLAIM REJECTIONS §103

Applicant has amended claims 1 and 11 to recite that that the receiver is a remote receiver which is connected to the industrial controller of the machine via a network, and that the database is located within the industrial controller. The invention has the significant advantage that the remote receiver itself does not

include the database, that the actual event-relevant information is not transmitted to the remote receiver, but instead to a database within the controller. This is clearly shown in FIG. 1 of the instant application which shows the database 3 within the controller 1 and the remote receivers 6a-6c connected to the controller via network 5, i.e. the receivers 6a-6c and the database 3 are not at the same location.

The Examiner applied Araujo as teaching that an event-relevant information is transmitted to a specified receiver. However, Araujo transmits the event-relevant information to web site (CCC) 20, and does neither teach nor suggest that any information about an event is transmitted to the "Remote Client 10" which is equivalent to the remote receiver (6a-6c in Fig. 1 of the present application). Because Araujo's "Remote Client 10" does not receive any event-relevant information, Araujo's "Remote Client 10" (or the claimed remote receiver in the present application) will not access the event-relevant information as it is not and cannot be aware of such information.

Although the Examiner applies Crater as disclosing that the database can be integrated with the hardware of the controller, Crater does not disclose transmitting event-relevant information from the database to the remote receiver, which is a significant aspect of the present invention.

Helferich was applied against the claims as disclosing sending a message to a pager without transmitting the actual associated message, so as to conserve bandwidth. However, another significant aspect of the present invention is that the event-relevant information in the database is accessed from the specified receiver via a cryptographically protected communication protocol, because the present invention is concerned with the secrecy of the information available from the database. Such protected communication is neither taught nor suggested by Helferich.

Applicant therefore submits that the combination of Araujo with Helferich would provide a method for transmitting messages about an alarm event to a database located within the industrial controller, without forwarding an event-

relevant message to a remote receiver via a network. The pager would not receive an alarm message and would therefore not be asked to contact a database with additional information. In addition, no encryption between the remote receiver (pager) and the database is suggested by the combination of references.

Applicant also wishes to point out that Araujo discloses monitoring and managing servers in a network environment, which is entirely different from transmitting messages about an alarm event of a machine from an industrial controller controlling the machine, and that Helferich discloses the general operation of pagers. A person skilled in the relevant art would not be motivated to peruse the art in network management, and certainly would not be motivated to look to the art relating to pagers for arriving at the invention for an encrypted secure communication between an industrial controller and a remote receiver. Applicant therefore submits that combination of these references is impermissible hindsight, and withdrawal of the rejections under §103 is respectfully requested.

For the reasons set forth above, it is applicant's contention that neither Araujo nor Helferich, nor Crater, nor any combination thereof teaches or suggests the features of the present invention, as recited in claims 1 and 11.

As for the rejection of the retained dependent claims, these claims depend on claim 1, share its presumably allowable features, and therefore it is respectfully submitted that these claims should also be allowed.

Withdrawal of the rejection of claims 1-11 under 35 U.S.C. §103(a) and allowance thereof are thus respectfully requested.

CONCLUSION

In view of the above presented remarks and amendments, it is respectfully submitted that all claims on file should be considered patentably differentiated over the art and should be allowed.

Reconsideration and allowance of the present application are respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

Respectfully submitted,

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